



- (3). Dodge Ram Engine 2006-2007 (Used)
- (4). 2.7 liter DOHC 24 Valve Chrysler Engine (Rebuilt)
- (5). Ford Winstar 1998 (3.8 short hock Engine)  
(V3E4AE6015EA)
- (6). Ford 351 Windstar Engine
- (7). Transmission (4wd) Toyota Hilux
- (8). Computer Diagnostic System”.

The goods were seized and marked on the premises of Luis Urbina Jr., trading as Mike’s Motor Plex.

2. Mr. Luis Urbina Sr. claimed that the goods belonged to him. He notified the Registrar who has made an interpleader application for the purpose of deciding the claim of Mr. Urbina Sr. to the goods. He filed an affidavit claiming the goods, and he has been crossexamined in court today.
3. Rightaway Mr. Urbina Sr. admitted that the items of goods numbered (3), (4) and (7) did not belong to him. So, my decision is that sale of the three items in execution of the warrant may proceed in the usual way, unless there is another valid claim to ownership.

4. In respect of item No. (1) 3 A Compressor, Mr. Urbina Sr. produced a handwritten receipt dated 7.7.2006, which he said he had obtained in Houston USA, when he bought the item together with other goods. The person to whom the receipt was issued was not named. I reject the claim of Mr. Urbina Sr. to the 3A compressor. Again sale in execution in respect of the item may proceed in the usual course.
  
5. All the items attached were found on the premises of the debtor, Mr. Luis Urbina Jr., trading as Mike's Motor Plex. The business name was registered by Mr. Urbina Jr. as the owner of the business. Mr. Urbina Jr. is the son of Mr. Urbina Sr. According to Mr. Urbina Sr. he owns another business known as Mike's Spare Parts, it is different from Mike's Motor Plex. The former is not a registered business name. Both businesses are on the same land, and the land is owned by Mr. Urbina Sr. He does not charge Mike's Motor Plex rent for use of the land. Mr. Urbina Sr. said further, that his goods were merely displayed at Mike's Motor Plex for customers to view.
  
6. I do not believe that the two businesses are separate businesses. If I am wrong, I still do not accept that the five items, Nos. (1), (2), (5),

(6) and (8) were taken to Mike's Motor Plex by Urbina Sr. in an arrangement in which he retained ownership of the items. I reject the claim of Mr. Urbina Sr. to the goods attached. Execution in respected of them may proceed in the normal course.

7. In the end Mr. Luis Urbina Sr. has not succeeded in proving his claim to any of the eight items of goods that the marshal took walking possession of on 22.3.2010. Mr. Urbina Sr. will pay costs of this application in the sum of \$2,000.00 to the judgment debtor, in addition to costs of execution of the warrant of execution.

8. Dated this Monday the 31<sup>st</sup> day of May 2010  
At the Supreme Court  
Belize.

Sam L. Awich  
Judge  
Supreme Court